Courts.
1889-90.

(Incomplete)

Sls 1-7

(Fls 2-89

p. 62

Papers re Succession of late S.N.
Ramiaswamiyar Munsiff.

Indexed
KR

R 29

(General Serial No. 29.)

1889

OFFICE OF THE DEWAN OF MYSORE. 1428 7-MAR.90

From The Chief Judge of Mysore

To 20/2/90

The ~~Secretary to the~~ Dewan of Mysore.

Dated 10 December 1889

Despatched

Received

Enclosures No. as per list

General No. 4127 } 188 —3 .
No. 133

To the Secretary to the Government of Mysore

Submits for the information of Government copy of an order of the Full Bench of the Chief Court directing the suspension of Mr. Ramaswamy Iyengar.

No 4127
133.

Bangalore 10th September 1889

From

L. G. Plumer Esquire
Chief Judge of Mysore

To

K. Shrshadri Iyer Esquire
C.S.I.
Dewan of Mysore

Sir,

Under the provisions of Section 20 of the Mysore Civil Courts Regulation, I have the honor to submit for the confirmation of Government an order passed by the Full Bench of this Court, suspending Mr. S. Ramasawmy Iengar, Munsiff of Bangalore, and recommending that he should be retired from the Government Service. The facts of the case and the reasons for our order are fully set out in the order.

I have the honor to be
Sir
Your Most Obedient Servant

L. Plumer
Chief Judge.

with records as per accompanying list
(to be obligingly returned)

№ 4133/3046

Proceedings of the Chief Court Mysore

Bangalore 9th September 1889.

Read

Miscellaneous Petition № 77 of 1889 presented by Viswa=
=nathaya Guardian to the minor Plaintiff in Miscellaneous Appeal № 24 of 1889 filing copy of hypothe=
=cation deed executed in favor of the Munsiff of Bangalore dated 1st October 1887 and praying for the transfer to the Court of the Sub Judge of Bangalore of the de=
=cree in O.S. No 551 of 1887 on the file of the District Munsiff of Vellore now under execution in the Court of the Munsiff of Bangalore

Proceedings of this Court № 4006/2940 dated 2d September 1889 calling upon the Munsiff of Bangalore to submit explana=
=tion on certain points.

Explanation of the Mun=
=siff forwarded with his № 223 dated 4th September 1889 as also the papers referred to therein

Proceedings on Execution

3 ans 453

cases Nos 374 of 1889 and Miscel-
laneous case No 343 of 1889 on
the file of the Munsiff's Court
Bangalore.

Proceedings of this Court
in Miscellaneous Appeal No 24
of 1889, Kanakavallemma ~~&c~~
B. S. Ramasawmy Iengar

Order

At the beginning of last April,
a decree was sent from the Bellary
Munsiff's Court to the Court of the
Munsiff at Bangalore for execution.
On the 3d April, a clerk of the Bangalore
Munsiff's Court endorsed on the
application for execution that a
warrant of arrest of the judgment
debtors, B. Ramasawmy Iengar
and Venkadachar should issue. The
order was initialled by the Munsiff
Mr Ramasawmy Iengar. Although,
the judgment debtors resided in
Bangalore, the warrant was not made
returnable until the 7th June. The Court
did not adjourn for the recess until the
18th April and the warrant ought most
certainly to have been made returnable

before

before the Court adjourned.

4

On the 17th April an application was presented to the Immoff by an Advocate on behalf of the Judgment Creditor to attach certain property of the Judgment debtors; a warrant was ordered to issue but it was not made returnable until the 28th June. On the 6th June an application was made to the Immoff by an Advocate on behalf of the 1st Judgment debtor B. Rama=swamy Iengar to stay execution on certain grounds - On 8th and 12th June, the Immoff held an Enquiry, the Judg=ment Creditor was present in person. An Advocate appeared for B. Rama=swamy Iengar and was heard by the fourth - The warrant for the arrest of B. Ramaswamy Iengar having been returned unexecuted. The Immoff acted most improperly in hearing the Advocate for the Judgment debtor; unless and until the Judgment debtor surrendered to the warrant of the Court; until he did so the Judgment debtor was in contumacia and the Immoff should have refused to hear his Ad=vocate - It is a remarkable point in connection with the return of the warrant of arrest unexecuted that the 1st Judgment debtor who could not be arrested at any time between the 3rd April and the 7th June was able

to

to execute a power to an Advocate
on the 6th June in Bangalore.

On the 12th June the Munsiff
passed an order refusing to execute
the Vellore Munsiffs decree either against
the person or the property of B. Rama
sawmy Iengar and Venkatachar.

An appeal was preferred to this
Court against that order, a Bench
of Judges set aside the Munsiffs
order as being wholly illegal and
ordered immediate execution of the
Vellore Munsiffs decree, as prayed for.
On the 28th August, the Judgment Creditor
presented a petition to this Court, praying
that the decree of the Vellore Munsiff might
be transferred from the Bangalore Munsiff
to the Court of the Sub Judge. The reasons
given were that the Munsiff Mr. Ramasawmy
Iengar was a relation of the Judgment
debtor, B. Ramasawmy Iengar, who had
executed a Bond in favor of the Munsiff
for Rs 5000. A copy of that Bond was
presented with the Petition. This Court
sent an order to the Munsiff calling on
him to explain his conduct. In his reply
the Munsiff admitted that B. Ramasawmy
Iengar was distantly related to him;
he also admitted that the bond was
really executed in his favor by B.
Ramasawmy Iengar as represented

by

by the judgment Creditor - The Munsiff acted contrary to the provisions of Section 18 of the Impose Civil Courts Act, in adjudicating on a case in which he was personally interested - As a relative of B. Ramasawmy Iengar and as a creditor of his to a large amount, the Munsiff had a strong personal interest in protecting B. Ramasawmy Iengar from arrest; although the property mortgaged to the Munsiff under the aforesaid bond is situated in the District of Salem, and although the principal was made payable in 1892; the Munsiff was entitled under the terms of the bond to receive interest to the amount of about Rs 400 at the end of each quarter, and therefore, the Munsiff was personally interested in protecting the property of B. Ramasawmy Iengar from attachment and sale.

The order of the Munsiff refusing execution of the Vellore Munsiffs decree was so perverse, so manifestly illegal that it is impossible that the Munsiff, a judge so intelligent and of such long experience as Mr. Ramasawmy Iengar, did not know, when he passed the order that it was an illegal order - The decree of the Vellore Munsiff expressly absolves from all liability under the decree the Defendants 2-3-4 and 6 and holds the Defendants 1 and 5 B. Ramasawmy Iyer and

and Venkata Char personally liable for the amount decreed - The Munsiff of Bangalore in his order criticised and doubted the correctness of that decree, and finally held that the decree as it stood was wrong and positively refused to execute the decree against the person or property of B. Rama sawmy Iengar and Venkatachar, although under the terms of the decree, the construction of which is absolutely free from all ambiguity both the person and the property of the said judgment debtors are expressly held liable for the decree amount. The Munsiff must have known that he had no power to go behind the decree or to alter vary or add to its terms; he must have known that he was bound to execute the decree as it stood.

The Munsiffs order is such a perverse order that in view of all the surrounding circumstances we are reluctantly compelled to conclude that the order was passed from partial and corrupt motives, partial because the order was intended in defiance of the clear provisions of law to the contrary to protect and show favor to B. Rama sawmy Iengar, corrupt because it was intended to further the interests of the Munsiff by protecting from attachment

and

and sale the property of B. Rama
=swamy Iengar who is the debtor
of the Munsiff to a large amount.

We are of opinion that Mr.
Ramaswamy Iengar the Munsiff of
Bangalore has been guilty of such a
flagrant perversion of Justice from par=
=tial and corrupt motives, that he is
not a fit and proper person to hold the
Office of Munsiff - We have therefor
Suspended him and we shall recom=
=mend to Government that he be
at once removed from the Service - Mr.
Thumboo Chitty whom we have con=
=sulted entirely agrees with us.

/Signed/ C. J. Plumer
Chief Judge
/Sd/ A Ramachandra Iyer
Judge
Sd/ C. Seenachaya
Judge.

Copy
[illegible]
Registrar

46

1
R 28

9

(General Serial No. 29.)

1889.

OFFICE OF THE DEWAN OF MYSORE.
4995
25 SEP 89
54

From Mr Chief Secretary to Govt

To

The ~~Secretary to~~ the Dewan Sir Kri Rajaman
the Maha Raja of Mysore.

Dated 21st September 89.

Despatched 23d

Received

Enclosures No. 2

General No. 4375 } 188 —8 .
No. 138

In continuation of this Office No 4127 of 10th Instant I forward a letter of 16th Instant from Mr S. R. Ramasamy Iyengar furnishing explanation in regard to the charges brought against him.

Sd/
23/9

Recd from Bangalore Office on 26-9-89
8 P.M.
Mysk
26/9.

Have written & C-9-
enquire abt further
action req.
18/12/89.

No 4375/138.

9

Bangalore 21st September 1889.

From.

C. G. Plumer Esquire
Chief Judge of Mysore.

To.

R. Sheshadri Iyer Esquire C.S.I.
Dewan of Mysore.

Sir.

In continuation of this office No. 4127/133 dated 10th Instant, I have the honor to forward a letter dated 16th Instant from Mr. S. R. Ramaswami Iyengar, furnishing explanation with regard to the charges brought against him.

+ Ref. received.

I have the honor to be,
Sir,
Your most obt. Servt.

C. Plumer
Chief Jndge.

121.

Recd 16-9-89

10

To. The Registrar of the
Chief Court of Mysore.
Bangalore

Sir.

I received on the evening of the 11th Inst: copy of the Chief Court's Proceedings No. 4133/3046 of 9th Sept: 1889. arriving at the Conclusion that I am not a fit and proper person to hold the office of Munsiff for certain reasons specified. As I have not had an opportunity before of explaining the several points on which the decision of the Hon'ble the Judges is based. I beg leave most respectfully to Submit the following facts for their kind consideration.

2. The Chief Court has found that in connection with Mis: No. 343 of 1889 – on the file of the Bangalore Munsiff's Court my conduct is blameable in these respects:–

(a) On the 3rd April a Clerk in the Bangalore Munsiff's Court endorsed on the application for execution that a warrant for the arrest of the judgment debtors; Ramaswamiengar and Venkatabhar should issue.

(b) Although the judgment debtors resided in Bangalore, the warrant was not made returnable until the 7th June.

a.

(c) On the 17th April an application was presented to the Munsiff by an advocate on behalf of the judgment creditor to attach certain property of the judgment debtors, a warrant was ordered to issue but it was not made returnable until the 28th June.

(d). The warrant for the arrest of B. Ramaswamiengar having been returned unexecuted, the Munsiff acted most improperly in hearing the advocate for the judgment debtor unless and until the judgment debtor surrendered to the warrant of the Court.

(e) It is a remarkable fact that the judgment debtor who could not be arrested at any time between the 3rd April and the 7th June was able to execute a power to an Advocate on the 6th June in Bangalore.

(f) The Munsiff acted contrary to section 18 of the Mysore Civil Courts' Act in adjudicating on a case in which he was personally interested.

(g) The order of the Munsiff refusing to execute the decree of the Vellore Munsiff was wilfully perverse and illegal, and was passed from partial and corrupt motives.

3. I beg humbly to submit my explanation on the above points "seriatim".

(a). The first order on the execution application of 3rd April was endorsed by the Clerk of the Court under my instructions in accordance with a rule by which the usual routine orders were endorsed by the clerk on the applications presented

to Court. but it was also my invariable rule to scrutinize such endorsements before signing them. This will be seen from the innumerable papers in the Court similarly disposed of.

4/ (6). In the first place the Defendant B. Ramaswamiengar has not for a long time before been living in Bangalore. Himself and family were residing at Hosur in the Salem District. where he is practising as a pleader. His family still remains there. He was however coming to Bangalore off and on in connection with a suit against him and others in which Mr. L Anantasami Rao the present Sub-judge of Bangalore is holding an enquiry as Commissioner under the orders of the Chief Court. I have since ascertained that the said Defendant was absent from Bangalore all the time from the close of March till after the Court closed for the recess, which fact may be ascertained by a reference to the proceedings of the above Commissioner. At the time of my posting the hearing to the 7th June. I was however not aware of the circumstance and the application in question was posted to the aforesaid date in the usual course along with others, as particularized in the margin which were all set down for hearing on the 7th June as that was the day next after recess set apart for the disposal of execution cases. I submit that any sinister motive in posting the application in question to a distant date is negatived

Date of presn.	nos of Cases	Date of hearing	Date of presn.	Date of hearing	nos of Cases	Date of presn.	Date of hearing	nos of Cases	Date of presn.
3.4.89.	378. 70. 375. 74	7th June	6/4.89	7th June	393. 394.	8/4.89.	7th June	417. 418. 420.	13/4.89.
4.4.89.	381. 882.	D°	10.4.89.	D°	398. 399. 400. 401. 402.	10.4.89.	D°	422. 429. 430. 434.	15/4.89.
5/4.89.	384. 385. 386. 296. 317. 304. 289. 297. 199. 188. 196. 261. 390.	7th June. 14th D° 7th D°	11/4.89.	D° 7th D°	404. 407. 408.	11/4.89.	D° 14th D° 28th D° 14th D°	360. 440. 456. 452. 425. 453.	16/4.89. 17.4.89.
			12/4.89.		333. 236/ 392.				

Date of hearing 14th June. 14th D°. 14 021 D°. 14. 6.89. D°. 21. 28.

negatived by the fact that I treated alike all papers relating to execution received on the 3rd April and subsequently as may be at once perceived from the Court Diary. If I wanted to favor the Defendant I would have done so by making the warrant for arrest returnable before the Court closed for the Recess: whereas by keeping it alive till the 7th June I have enabled the Judgment Creditor to have a longer time and greater opportunity for executing it.

Another ~~——~~ explanation for the case being posted for hearing after the vacation is to be found in the fact that certain days in the week are reserved for the disposal of Execution and Miscellaneous cases, and as the file is usually crowded in nearly every Court towards the beginning of the Recess, new cases filed within a fortnight or so thereof are as a rule posted for disposal after the reopening of the Court (c). The second application by the decree-holder was put in on the 17th April or the last day of the Court before the Recess, and the property sought to be attached was a house situated in Bangalore. In order to allow the applicant sufficient time to obtain the requisite processes the case was posted to the 28th June. If the period of the Recess is deducted it will be seen that the application was posted only 28 days after presentation which, I venture to submit is not a very distant date as it is not unusual in all courts to post cases weeks after filing. Moreover I had personally

Sort

sort of lien on the house (or any other property in Bangalore) sought to be attached and my own interests were unaffected by any thing done to it by process of law.

7. (d) With regard to the observation that I should have refused to hear the judgment debtor's advocate on the 8th & 12th June rules, and until he surrendered himself to the Court, I beg leave humbly to say that there has been no such case before me hitherto, and it did not strike me for I should have refused to hear and dispose of a petition duly presented in Court on behalf of a recusant debtor unless he surrendered himself. On the other hand I felt bound to hear and dispose of the petition filed by the judgment debtor — Ramaswamiangar lest my refusal if appealed against might meet with the disapproval of the Chief Court. I submit further that it is the practise in all courts for the parties to attend to the execution of the processes taken out by them, and when the warrant for the arrest of B. Ramaswamiengar was returned unserved, I should certainly have issued it again if the decree holder had asked for it.

8/ (e) The warrant for the arrest of the Deft was endorsed as unserved by the Amin and submitted by the Amin on the 6th June: I did not see it till the next day when the case came on for hearing. As stated in the above para, as the party did not get it renewed it was filed.

(f) The Defendant Ramaswamiengar is not

not directly related to me at all. He is not my gnati or other close relative. His second sister is married to my wife's deceased brother's eldest son. His eldest sister was married to the second son (who died before consummation) of the late Mr Krishnaiengar whose daughter daughter is married to my eldest son. Except perhaps in clannish communities such connections are not usually regarded as relationship. But in my explanation No. 223 of 4th Sept 1889 I stated that he was distantly related to me with a view not to conceal the slightest fact connected with the matter. It is true that the Defendant Ramaswamiengar are indebted to me at present in the sum of ~~Rs~~ 25000 — & have hypothecated to me their Jodi village in the Salem District. But that circumstance has, I submit, in no way made me interested in the case before me. The principal and interest of my debt are secured on landed property outside my jurisdiction. I had no lien whatever on the house in Bangalore which was sought to be attached and the arrest of the Defendant himself would not have mattered anything to me, and the security of the village was ample to satisfy my debt of which the principal does not moreover fall due till 1892 & by arrangement the interest should be paid yearly from the revenues of the village itself. As a secured creditor I had by law no claim whatever on the property of the debtor in Bangalore until I exhausted the security

of

of the Village; which as already stated would suffice to satisfy both principal and interest. Further the Amount of the Vellore Munsiffs decree is only Rs 468-" " which is comparatively too small to satisfy any portion of the debt due to me. Instead of the Deft being indebted to me if I were his debtor there may perhaps be reason to suspect that I was obliged to show favor to him whereas I gain or lose nothing by the arrest of the Defendant or by his house or any other property in Bangalore being attached and sold in satisfaction of the debts to others. From these plain facts I venture to hope that it will be seen that I was not at all interested in the issue of the Execution cases under notice and that therefore I did not violate Sec: 187 of the Mysore Civil Court Act. I most readily confess that I should have acted with more prudence if in view of my having had pecuniary transactions with Deft: Ramaswamiengar although unconnected with the cases in question. I had reported the same to the Chief Court for orders: but at the time I was not conscious of anything howsoever I was doing wrong.

(9) As regards the order passed by me declining to execute the Vellore Munsiff's decree against B Ramaswamiengar primarily the Chief Court has held that my view of the law as regards the effect of the decree was wrong and illegal. I loyally bow to it, but humbly submit that my error

error of judgment was a bona fide one
I fully believed at the time of passing
my order, the decree itself from its re-
-cital of the claim was on account of
a partnership debt and the absence of
a statement that it was personal against
the Defendants therein mentioned appears
to me to support the judgment debtor's
Contention and that by judicial pre-
-cedents I was bound to interpret the
decree by the pleadings set forth in it
and the circumstances under which the
suit was brought. I have had absolutely
no motive whatever for showing favor to
the Deft Ramaswamiengar for his
relationship to me is not such as to
render it improper or illegal in me
to dispose of the case against him before
me. Nor would his arrest and the attach-
-ment of his property in Bangalore for
another debt in the least touch my in-
-terests which are otherwise amply se-
-cured. I most solemnly declare that I
have throughout this case acted quite
bona fide to the best of my lights.

10. I take this opportunity of representing
that I am a servant of Govt: of upwards
of 24 years' standing. After a long course
of service in the Mofussil the Chief
Court was pleased to appoint me to the
Bangalore Court and I have been try-
-ing very hard satisfactorily to discharge
the onerous and difficult duties thereof
under

R 28

(General Serial No. 30.)

19

1889.90

From

To

The Chief Judge
of Mysore

Dated 20th
Despatched 23rd } February 1890.
Received

Enclosures No.

General No. Camp 881.
No.

3 Calling for records in cases in which the Chief Court judges have had occasion to be dissatisfied with the conduct of Munsiff Ramaswami Iyengar in the trial of Civil Suits.

From Dist Munsiff

19

OR

Camp No. 881, Dt. 20th February/90
Despd 23rd

ap 2-89
cl 3

To

The Chief Judge of Mysore

Sir,

With reference to ~~the last Conversation~~ your letter No. 4127/133 dt 16 Sept. 1889, I have the honor to request that you will be so good as to forward for reference the record of the case to which you refd. in our ~~last~~ Conversation last Sunday ~~on the Subject~~ together with those of any other cases in which yourself or yr Colleagues have had occasion to be dissatisfied with the Conduct of Mr. Ramaswamy Iyengar ~~Judge~~ in the trial of Civil Suits.

I have

20/2.

Let this go at once. & put up with the file, Ch. J's opinion of my orders on the Hannali case since yours agreeably.
20/2.

M. 127

Submitted for information
18.3.90 M

References

Vide Regt Despatches
Dec 28 June

(General Serial No. 29.)

20

1890. 9882

From The Chief Judge, 103 of Mysore.

To

23/6/90

The Secretary to the Dewan to His Highness the Maha Raja of Mysore.

Dated 17 March 1890.

Despatched 18

Received

Enclosures No.

General No. 1266 } 188 —8.
No. 19.

In reply to his No 881 of 24 Ultimo, informs that the case specifically referred to, is still sub judice.

To Secretary

A3
19-3-90

No 1246
19.

21

Bangalore 17th March 1890.

From.

C. G. Plumer Esquire,
Chief Judge of Mysore.

To.

R. Sheshadri Iyer Esquire, C.S.I.
Dewan of Mysore.

Sir,

In reply to your letter No 881 dated
20th Ultimo, I have the honor to inform you that
the case specifically referred to, is still sub judice
We know of no other records which could, with
advantage, be sent to you in connection with
my letter No 4127/133 dated 16th September 1889.

I have the honor to be,

Sir,

Your most obdt Servant;

C. G. Plumer
Chief Judge

No. 2511/19 of 23-6-20

22

To The Registrar to the Chief Courts of Appeal

Sir,

Adverting to the Chief Judge's letter No. 1346/17 dated last I beg you will be kind enough to inform me whether the case therein alluded to as being subjudice at the date of that letter has been since decided of and whether the records can now be forwarded for the Secretary's information -

Thanking you

Yours obediently

2
M.127

To

The Registrar Chief Court.

Dy 23rd June 1890.

No 2511/79

Enquiry whether the case alluded to in his No. 1246/19 of the 17th March 1890, as being sub-judice has been since disposed of and whether the records can now be found for the Dewan's use.

No reply Record Endorsed -
Reminder Sent 4 times daily
RR
12.4.94

9/R-42

(General Serial No. 30.)

1892/93 93

From

The Chief Secretary to the Dewan of Mysore.

To

The Registrar to the Chief Court of Mysore

Dated 14 April 1892.

Despatched 20

Received

CB 2-89

Enclosures No. 1

General No. 1190

No. 7

This office No. 2511/19 of 23-5-92 dated 23d June 1890 enquiring whether the case alluded to in the Chief Judge's letter No 1346/19 of 17. March 1890 as being sub judice was disposed of and whether the records therein referred to could be forwarded for the Dewan's inspection information —

Requests the favor of a very early reply to the above.

By order

Mysore 14/4/92

Under Secy

BK

(General Serial No. 29.)

24

OFFICE OF THE DEWAN 2050 18 MAY 92 22 MYSORE

18

From

The Registrar
Chief Court, Mysore

To

The Secretary to the Dewan
of Mysore.

Dated 17th May/92

Despatched 18th

Received

Enclosures No. Three files of records

General No. 2375 } 188 —8 .
No. 75

Forwards, records of certain cases on the file of the Sub Judge, Bangalore which were reported to be Sub Judice, with certain information and requests that they may be returned when no longer required —

Ref. Mem 1875

Submitted. The other papers are in the Dewan's House Office 21/5/92

Dewan's order on 4th

Needful action already taken. File

1/B.O.

Chief Secy

11.12.92

Subject no 893 & 894 last is referred to the Dewan with the other papers in the case — Advocate has also been addressed

17/5/92

Filed with the Dewan's Cir. No. 1906 dt 19th May & Censors Cir. No. 71 dt 18th idem

31
20-5-92

Bangalore 17th May 1892.

1: 2375/75 Mis: files of Records

24

From

The Registrar of the
Chief Court of Mysore

CR 2-89
SC

To,

The Chief Secretary to the
Dewan of Mysore.

Sir

With reference to your letter No. 2511/19 dated 23rd June 1890, I am directed to forward the marginally noted records of cases which Mr. Plumer reported to be Spl Judges. It will be seen from a perusal of the order passed by this Court in Mis: Appeal No. 24 of 1889 that the execution of the decree in OS No. 531 of 1857 on the file of the Munsiff of Vellore, which was transferred to the Court of the Munsiff S. A. Ramaswami Iyengar was delayed by that Officer unauthorizedly questioning the correctness of the decree and importing into it terms and restrictions which it did not contain. The record in Execution Case No. 343 of 1889 was forwarded to your Office with the proceedings of this Court No. 4127/133 dated 10th September 1889. That case was on the

1. Execution Case No. 1767 of 1859
Mis: Nos: 730 and 739 of 1859 and 501 of 1891.
2. Mis: Case No. 790 of 1889.
3. Mis: Case No. 801 of 1889.

the application of the decree holder, transferred to the Sub Judge of Bangalore for execution. A warrant was issued for the arrest of the judgment debtor B. Ramaswamiengar, and he was accordingly arrested and produced before the Sub Judge, when he presented an application to be declared an Insolvent which was rejected. The decree holder subsequently assigned over the decree to one Ravanna who reported satisfaction to the Court in Mis No. 501 of 1891, and the case was struck off the file on 28th August 1891.

It is requested that the records herewith sent and those already forwarded may be returned to this office when no longer required

I have the honor to be,
Sir,
Your most obedient Sv

S. Ramaswamy Iyer
Registrar.

nim

IN THE COURT OF

Facing Sheet miscellaneous Application.

Form No. 2 Civil.

Application No. 1767 of 1889

Petitioner

Respondent

Subject

Instituted, 1 — 9 — 89

Decided, 20 — 9 — 89

4-9-89

Send for re conditions from the Court
the Municipal of Bangalore

Sub Judge

Appellant's Pleader

I submit that the judgment entered herein is correct. I pray that attachment & arrest may issue against Judgt Debtor.

Attach & arrest by 20th Sept

9-9-89

C.C. 8/9/89

10.9.89.

Petition by Mr Ganapathiramiah (Vakil on the Vakalat in the Mofussil Court) that the application for Execution has been transferred to this Court by the Mofussil Court.

Judgt Debtor B S Ramaswamy Chetty brought under Warrant

Mr Thimmakrishnaiah for Judgt Debtor

J. Debtor puts in a petn today. He has
been declared an insolvent and promises
to submit his requisite Schedules &
the proposes to give Shanmuga Mudaliar
son of Narasimma, Supari merchant
in Petta Bangalore.

Letter Subpoena
Log Book

The proposed
Surety Mudaliar
is a merchant
of large means in
Petta. Should he
be gets bound must show to
the extent of books and trades
to a large extent.

Shanmukasamy
Sd.

Under S. 336 of C.P.C. Debtor
should submit the requisite Schedules
of his property for the purposes of his
being declared an insolvent, within
one month from this date.
The request of Mudaliar is accepted

Dept will be asked to authorise
a decree nisi from Chancery for
Rs. 5961-, under S. 33 C.P.C.
I cannot learn any order regarding stay
of proceedings against Mr. Mutukisnan Chetty
as yet.

S.C.

12/9/89.

Mr. reports that
he has written to the
Govt. Agent Jaffna
& to Mr. Advocate
Supra asking for
the papers & the order
under which the proceedings
should be stayed.

S.C.

Time extended to
20th inst.

S.C.

20/9/89.

Time extended to 27th inst.

S.C.

Mr. has written to Govt. Agent Jaffna - 13/9/89
Govt. Agent Jaffna has forwarded papers - 20/9/89
Mr. has received papers - 20/9/89

3/4020
2952

Mkt: 525/89. A2

In the Chief Court of Mysore Bangalore.

Monday 2d day of September 1889.

Read 3/9/89 ss

Present

C.G. Plumer Esqre. Chief Jndge

Execution Case No: 374 of 1889 and Mis: Case No: 343 of 1889, on the file of the Munsiffs Court, Bangalore.

Miscellaneous appeal No: 24 of 1889, on the file of this Court.

Appellant	Respondents.
Kanakavalliammal (Minor By her guardian Vishwanathier (Offr.)	1. S.B. Ramaswamier 2. M. Venkatacha

Miscellaneous Petition No: 77 of 1889, presented by the above named appellant, praying for transfer, to the Court of the Sub: Judge Bangalore, of the Decree in O.S. No: 551 of 1887, on the file of the District Munsiff of Vellore, now under execution in the Munsiffs Court,

Bangalore, coming on for hearing this day, this Court passed the following

Order.

The Decree in O.S. No. 551 of 1887, on the file of the District Munsiff, Vellore, now under execution in the Munsiffs' Court Bangalore, will be transferred for execution to the Court of the Sub: Judge Bangalore, with a direction to the Sub Judge to carry out the order of this Court passed in Miscellaneous Appeal No. 24 of 1889 without delay.

(A true copy)

Registrar.

2/11

In the Chief Court of Mysore at Bangalore
Wednesday the 21st day of August 1889.

Present

C. G. Plumer Esquire, Chief Judge

and

C. Menakshya Esqre., offg. Judge.

Miscellaneous appeal No. 24 of 1889.

Kanakavalliamma (minor) by guardian Viswanathia — } Appellant (Plaintiff)

vs

Ramaswamyengar - Respondent (1st Defdt.)

Miscellaneous appeal against the order of the Munsiff of Bangalore, in Miscellaneous Case No. 343 of 1889—

This Miscellaneous appeal coming on for hearing on Monday the 19th day of August 1889, the Court pronounced the following

Order— We are of opinion that the Munsiff was not justified in refusing execution of the decree as prayed for.

The decree is explicitly a decree against the 1st and 5th Defendants personally; nothing is said in the decree about the assets of the firm— The decree may or may not be right, but the Munsiff, to whom the decree has been sent for execution, has no authority to question the correctness

of the decree, or to import into the decree terms and restrictions which it does not contain -

(We set aside the order of the Munsiff, and direct him to execute the decree as prayed for - the Counter Petitioner will pay the costs of this appeal -

Amount of costs payable by Respondent Ramanathan Chettiar to Appellant Kandasamy Kavalliar and (minor) by guardian Visvanatha -

Court fee on petition	2	"	"
"	Power of attorney	2	"
"	Processes	1	"
"	Copy of order	"	9 "
Advocate's fee		8	"
Fees for copying		"	10 "
Total Rs		14	3 "

"A true copy"

S. Ramalingam

Registrar

ZM.

A3
1

ಕೋರ್ಟಿಗೆ.

ಸ್ಮಾ 18 ನೇ ಇಸವಿ. ನಂಬರು.
1767

ವಾದಿ ಪ್ರತಿವಾದಿ.

ಪ್ಲೀಡರ್ ಗೆ.

ಬರಸಿ ಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈವೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ,ತಾವು ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ, ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು, ವಿವಾದಿಶಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಮತ್ತು ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಶಿಲ್ಕುಮೊಬಲಗು ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗದುಕೊಂಡು ರಶೀದಿ ಕೊಡುವದಕ್ಕೂ ಸಹಾ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ ಯಾದ್ದರಿಂದ ತಾವು ನನಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾ ಮಾಡುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪುತ್ತೇ

ತಾರೀಖು 10 ನೇ ಸೆಪ್ಟೆಂಬರ್
ಸ್ಮಾ 18 ನೇ ಇಸವಿ.

ರುಜು

ಅಂಗೀಕರಿಸಿ ಇರುತ್ತೇನೆ.

ಈವೊಕ್ಕಾ್ಯರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಿಗೆ ಪರಿಚಯಸ್ಥರು ನನ್ನ ಸಮಕ್ಷವು ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ ಆದ್ದರಿಂದ ನಾನು ಸರಟಿಫೈ ಮಾಡಿದ್ದೇನೆ.

ಪ್ಲೀಡರ್

ಬೆಂಗಳೂರು ಸಿಟಿ ಸಿವಿಲ್ ಕೋರ್ಟ್

ಸನ್ 188 ನೇ ಇಸವಿ

ವಾದಿ,

ಪ್ರತಿವಾದಿ.

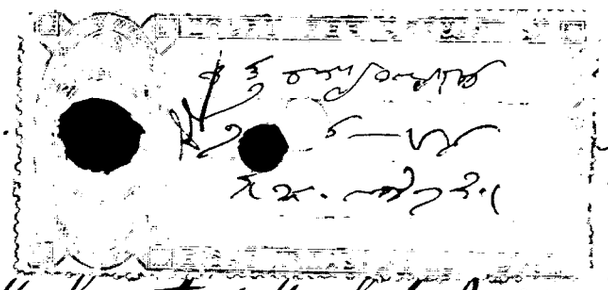
ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ, ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ, ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು, ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಗ್ಯೆ, ಮತ್ತು ನನಿಗೆ ಸಲ್ಲತಕ್ಕ ಡಿಕರಿವೊಬಲಗು ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವದಕ್ಕೂ ಸಹಾ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ, ಆದ್ದರಿಂದ ತಾವು ನನಿಗೋಸ್ಕರ ಕೋರ್ಟಿಗೆ ಹಾಜರಾಗಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪುತ್ತೇನೆ.

ತಾರೀಖು ನೇ
ಸನ್ 188 ನೇ ಇಸವಿ.

ರುಜು

ಅಂಗೀಕರಿಸಿ ಇರುತ್ತೇನೆ.

ಈ ಮೊಕ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ, ಆದ್ದರಿಂದ ನಾನು ಸರ್ಟಿಫೈ ಮಾಡಿದ್ದೇನೆ,



No 5861

A 4/1

In the Court of the Sub Judge

Bangalore

1767/89.

Insolvency Case No ____ of 1889.

No 739/89

Petitioner

B. Ramaswamiyar

vs

Counter Petitioner

Viswanathiah guardian to Kanakavalliamal

Petitioner begs to state as follows:-

(1) That your Petitioner is in insolvent circumstances

(2) That he was arrested on the 10th September 1889 in Bangalore under a warrant issued from this Honorable Court in Execution of a decree in Suit No 551 of 1888, on the file of the District Munsiff's Court of Vellore and an order for the attachment of moveables has been also passed in this case.

(3) That he is desirous of obtaining the benefit of the provisions of Chapter XX of the Civil Procedure Code for the relief of insolvent debtors and he may be granted one months time under

In the Court of the Lord Mayor
Aldermen and Burgesses
of the City of London

Between

A. Bonnisseau - Plaintiff

and

B. Bonnisseau - Defendant

Defendant Leave to state as follows:

(1) What sum Defendant is in receipt of
weekly

(2) What he has received on the 10th September
1889 in respect of his wife's death

(3) What is the nature of Defendant's employment
and what wages he earns per week

(4) What he has received on the 10th September
1889 in respect of his wife's death

(5) What is the nature of Defendant's employment
and what wages he earns per week

section 336 to enable him to file schedules and apply formally to be declared an insolvent.

(4) That your Petitioner prays that on compliance with the provisions of the said Chapter, he may have the benefit of the same and that all necessary directions may be given for that purpose.

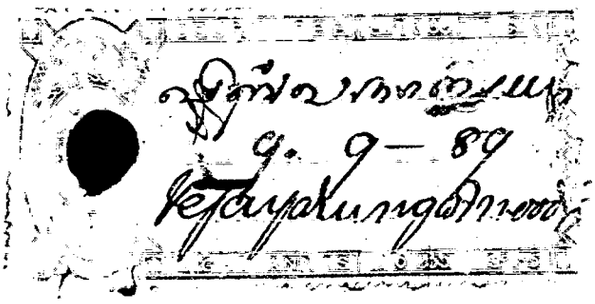
(5) That he is ready to offer sufficient security for his appearance when called on by the Court and prays that he may be released on bail from arrest and also that the order ~~for~~ the attachment of property may be stopped pending the disposal of this petition

10/9/89. B. Ramaswami Iyer

I, the petitioner above named do hereby declare that the statements made above is true to the best of my knowledge and information.

B. Ramaswami Iyer

5913



5839
9/9/89

9.9.89.

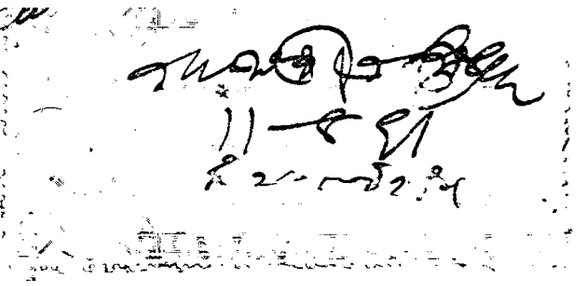
I Peter Lumley says he hears that the doors of the house are locked I placed the order for attachment an hour ago and before the attachment warrant I heard he was selling the goods He should first make honest endeavours to attach the property & then go to the Court ~~to apply for~~ as regards any difficulty I doubt if I can order the outer doors

I am sorry I can not open for purposes of attachment. But as I said before Pfaff has made no endeavours to attach the usual manner. I consider the pat[t] premature & reject it

Yours truly
Elizabeth Smith
7.5.85.

21-8-91

28-8-91



Rejoinder by Plaintiff

11-8-91

Ag

11.8.91.

Reference of Previous Case to be put up for 28th

21/8/91

The assignment has not been recognised as the case bars. 801 of 1889

24/8/91

Pet'r to state no
objn to the case by 21/8/91
failing P&V to be
was struck off for default.

But as the assignee has reported satisfaction, the recognition of it would affect his interest prejudicially.

Satisfaction will therefore be noted on the decree — the original decree-holder assignor having in the previous case admitted the assignment.

28 Aug 91

H Chamier

ಅಮಲ್‌ಜಾರೀಯಲ್ಲಿ ಆಸ್ತುವಿಾನ
ಹಿಡಿಯುವ ವಾರಂಟ್.
ಶಿll ಪ್ರಾll ಕೋಡ್ 337ನೇ
ಪ್ರಕರಣ.
ನಮೂನೆ ನಂಬರ್. 33, ಸಿವಿಲ್.

ಕೋರ್ಟ್‌ನಲ್ಲಿ.

188 ನೇ ಇಸವಿ ವ್ಯಾಜ್ಯದ ನಂಬರ್ 551

188 ನೇ ಇಸವಿ ಅರ್ಜಿನಂಬರ್ 132

1767

ವಾದಿ

ಪ್ರತಿವಾದಿ

ಕೋರ್ಟಿನ ನಾಜರಿಗೆ

188 ನೇ ಇಸವಿ ತಿಂಗಳು ತಾರೀ
ಖಿನಲ್ಲಿ 188 ನೇ ಇಸವಿ ನೇ 551 ನೇ
ನಂಬರಿನ ವ್ಯಾಜ್ಯದಲ್ಲಿ ಕೊಡಲ್ಪಟ್ಟ ಕೋರ್ಟಿನ ಡಿಕ್ರಿಯಲ್ಲಿ
~~ನೇ ಪ್ರತಿವಾದಿಗೆ~~ ವಾದೀಗೆ
ಇದರ ಪಾಲ್ಪೈದಲ್ಲಿ ಬರದಿರುವ ಪ್ರಕಾರ 593-2-9
ರೂಪಾಯಿಗಳು ಸಲ್ಲಿಸಲಿಕ್ಕೆ ಡಿಕ್ರೀ ಆಗಿರುವದ್ದರಿಂದ ಮತ್ತು ಸದ
ರೀ 593-2-9 ರೂಪಾಯಿಗಳು ಸದರೀ ವಾದೀಗೆ ಆ
ಡಿಕ್ರಿ ಸಮಾಧಾನಕ್ಕಾಗಿ ಸಲ್ಲಿಸಲ್ಪಡಲಿಲ್ಲವಾದ್ದರಿಂದ ಸದರೀ ಪ್ರತಿ
ವಾದಿಯನ್ನು ಹಿಡಿಯಲಿಕ್ಕೂ ಮತ್ತು ನಿನಿಗೆ 593-2-೦ ಮೊ
ಯಿಗಳನ್ನು ಮತ್ತು ಈ ಹುಕ್ಕುಂ ಅಮಲ್‌ಜಾರಿ ಖರ್ಚಿಗೆ ಆದ
ಖರ್ಚುಗಳಿಗೋಸ್ಕರ 2-೦ ರೂಪಾಯಿಗಳನ್ನು ಸಹ

ಅಸಲ್	468	4	4
ಬಡ್ಡಿ	12	3	4
ಖರ್ಚು	81	4	4
ಅಮಲ್‌ಜಾರಿ	17	4	9
ಮೊತ್ತ	4	3	4
	2	8	4
	593	2	9

ಕೊಟ್ಟರೇನೇ ಶಿವಾಯಿ ನೀನು ಅವನನ್ನು ಅನುಕೂಲವಾಗುವಷ್ಟು ಜಾಗ್ರತೆಯಯಾಗಿ ಕೋರ್ಟಿನ
ಮುಂದೆ ಹಾಜರ್ಮಾಡುವದಕ್ಕೂ ಇದರಿಂದ ನಿನಿಗೆ ಹುಕ್ಕುಂ ಆಗಿರುತ್ತದೆ. ಇನ್ನೂ ನೀನು ಅಜ್ಞಾ
ಪಿಸಲ್ಪಟ್ಟಿರುವದೇನೆಂದರೆ ಈ ವಾರಂಟನ್ನು ಮತ್ತು ಅದನ್ನು ಅಮಲ್‌ಜಾರಿ ಮಾಡಿದ ವಿಧ ವ ತಾರೀ
ಖನ್ನು ಯಾ ಅದನ್ನು ಅಮಲ್‌ಜಾರಿ ಮಾಡಿದ್ದಕ್ಕೆ ಕಾರಣವನ್ನು ಇಂಡಾರಸ್ ಮಾಡಿ 188 ನೇ
ಇಸವಿ ತಿಂಗಳು ತಾರೀಖಿನಲ್ಲಿ ವಾಪಸು ಕಳುಹಿಸತಕ್ಕದ್ದು

188 ನೇ ಇಸವಿ ತಿಂಗಳು ತಾರೀಖಿನಲ್ಲಿ ಕೋರ್ಟು
ನೊಹರ್‌ನಿಸೀ ನಮ್ಮ ಹಸ್ತಾಕ್ಷರದೊಡನೆ ಕೊಡೋಣವಾಗಿದೆ.

By Order

Mysore Govt. Press, Bangalore.—26-9-88.—9,050.

ಜಿಲ್ಲೆಯ ಅಮಲ್ಜಾರಿಯಲ್ಲಿ ಚರಸ್ವತ್ತನ್ನು ಜಪ್ತೀ ಮಾಡಲಿಕ್ಕೆ ವಾರಂಟಿ ಸಿ. ಪ್ರೊ. ಕೋಡ್ 264ನೇ ಪ್ರಕರಣ.
ನಮೂನೇ-ನಂಬರ್ 16, ಸಿವಿಲ್.

ಕೋರ್ಟ್‌ನಲ್ಲಿ

ನೇ ಇಸವಿ ವ್ಯಾಜ್ಯದ ನಂಬರ್

ನೇ ಇಸವಿ ಆರ್ಡರ್ ನಂಬರ್

ಪ್ರತಿವಾದಿ

ಕೋರ್ಟ್ ನಾಜರಿಗೆ

ನೇ ಇಸವಿಯ ನೇ ನಂಬರಿನ ವ್ಯಾಜ್ಯದಲ್ಲಿ ಅಪೀಲ್ ರಲ್ಲು ಕೋರ್ಟ್‌ನಿಂದ ಕೊಡಲ್ಪಟ್ಟ ಡಿಕ್ರಿಯಿಂದ ಯು ನಾದೀಗೆ ಮಾರ್ಜಿನ್ನಲ್ಲಿ ನಮೂದಿಸಿರುವ ಪ್ರಕಾರ ರೂಪಾಯಿಗಳು ಸಂದಾಯ ಮಾಡಲಿಕ್ಕೆ ಹುಕ್ಕುಂ ಆಗಿರುತ್ತೆ. ಆದರೆ ಸದರೀ ರೂಪಾಯಿ ಮೊಬಲಗು ಸಂದಾಯವಾಗಲಿಲ್ಲ. ಇದಕ್ಕೆ ಶೇರಿಸಿರುವ ಪಟ್ಟಿಯಲ್ಲಿ ನಮೂದಿಸಿರುವ ಹಾಗೆ ಯಾ ಸದರೀ ನಿಮಿಗೆ ತೋರಿಸಲ್ಪಡುವ ಸದರೀ ಚರಸ್ವತ್ತನ್ನು ಜಪ್ತೀ ಮಾಡಲಿಕ್ಕೆ ಮತ್ತು ಸದರೀ ಯೂ ನಿಮಿಗೆ ಸದರೀ ರೂಪಾಯಿ ಮೊಬಲಗು ಮತ್ತು ಜಪ್ತಿಗಾಗಿ ಆಗಿರುವ ಖರ್ಚುಗಳ ಮೊಬಲಗು ರೂಪಾಯಿಗಳ ಸಹಿತ ಸಂದಾಯ ಮಾಡಿದ ಹೊರತು ಈ ಕೋರ್ಟಿನಿಂದ ಮತ್ತೊಂದು ಹುಕ್ಕುಂ ಬರುವ ತನಕ ಜಪ್ತಿಯಲ್ಲಿಟ್ಟಿರಲಿಕ್ಕೆ ಈ ಹುಕ್ಕುಂ ನಿಮಿಗೆ ಆಜ್ಞಾಪಿಸುತ್ತದೆ.

ಡಿಕ್ರಿ.	ರೂ.	ಆ.	ಪೈ.
ಅಸಲ್	468	4	4
ಖರ್ಚುಗಳು	84	4	4
	17	49	
ಡಿಕ್ರಿಯು ಆದರ ಮೇಲಣ ಬಡ್ಡಿ	14	3	4
ಜಪ್ತಿಯ ಮೊತ್ತ	12	3	4
	2	8	4
ಜುಮ್ಲಾ	595	29	

ಮತ್ತು ನೀವು ಆಜ್ಞಾಪಿಸುವದೇನಂದರೆ, ನೀವು ನೇ ಇಸವಿ ತಿಂಗಳು ತಾರೀಖಿನೆಲ್ಲಿ ಯಾ ಮುಂಜೆತವಾಗಿ ಈ ವಾರಂಟನ್ನು ಮತ್ತು ಇದು ಅಮಲ್ಜಾರೀಯಾದ ತರಹಾವನ್ನು ವ ತಾರೀಖಿನ್ನು ಯಾ ಅದು ಅಮಲ್ಜಾರೀ ಆಗದೇ ಇದ್ದದ್ದಕ್ಕೆ ಕಾರಣವನ್ನು ಇಂಡಾರ್ಸ್ ಮಾಡಿ ಅದನ್ನ ವಾಪಸು ಕಳುಹಿಸಿಕೊಡತಕ್ಕದ್ದು.

ನೇ ಇಸವಿ ತಾರೀಖಿನಲ್ಲಿ ಕೋರ್ಟು ವಾಯರಸಾನ ಸಹ್ಯಾದಸ್ತಖತ್ತೊಡನೇ ಕೊಡೋಣಾಗಿದೆ.

By Order

Mysore Govt. Press, Bangalore.—20-10-87.—4,050.

9-9-89 2/2

IN THE COURT OF

Facing Sheet miscellaneous Application.

Form No. 2 Civil.

Application No. 790 of 1887.

Petitioner

Respondent

Subject

Instituted, 14-7-89

Decided, 23-7-89

Mysore Government Central Press, Bangalore.—16-7-89—500

14-9-89
17-9-89
23-9-89

Presented
14/9/89

In the Court of Sub Judge of Bangalore.

Insolvency case of 89.

Execution case 1767 of 89.

Civil Suit 20557 of 1888 on the file of the Vellore Munsiffs' Court.

O.S. No. 790 of 89

Petitioner
B Ramaswamiengar

vs

Counter petitioner
Kanakavallieng
by guardian
Viswanathan

The petitioner begs to annex herewith Schedule under Sec 344 of the Civil Pro: Code and prays that all Execution proceedings may be stopped pending the disposal of his Insolvency application

B Ramaswamiengar

Deposited in Court
11-9-89
Deputy Registrar

6052
14/9/89

14.7.89.

D. Holden's Counsel who was present in Court, informed that he might argue the point moved on Tuesday 17th Instt

Wm Fairbairn
S.J.

17.7.89.

Order by Mr Laurance.
D Holden by Mr Pearmain for Mr Young & Merrick
Argument of both Counsel heard
Orders on Monday 23d Instt.

Wm Fairbairn
S.J.

M/s Case No 140 of 1889.

Order.

An application for Insolvency has been filed by B. V. Ramaswami Iyengar on his having been arrested in execution of a decree passed against him by the Ist Munsiff's Court at Bellary in the Madras Presidency. The petitioner asks for time to file Schedules of his debts and his property and he was released on Security being given. He has now filed the Schedules and prays that all Execution proceedings be stopped pending the disposal of his Insolvency petition.

I do not see any provision in the Civil Pro. Code, ~~directing~~ allowing the staying of all Execution proceedings during the pendency of an application for Insolvency.

It is argued before me, given a debtor has assigned his property and his debt, he must be considered as having placed his property at the disposal of the Court, but there is no guarantee that that be carried until the petition is duly heard by the presence of the creditors to whom notices are now being issued. It is only after the petition is duly heard and orders passed thereon, that petition has been declared as insolvent that it can be said that petitioner has placed his property at the Court disposal. Even then, section 357 provides that when an insolvent has been discharged under S. 351 or 355 declared not to be liable to arrest or imprisonment, his property, whether revenues or subsequently acquired, shall be

liable to attachment and sale under certain conditions and restrictions. It necessarily follows therefore that when a petition for insolvency is still pending disposal, and the creditors have had no opportunity of being heard, the petitioner's property is liable to attachment and sale.

I must therefore decline to grant petitioner's prayer. The present petition so far as regards the prayer is rejected with costs. Advocate's fee Rs: 2 (two).

23/9/85.

IN THE COU

Facing Sheet miscellaneous Application.

Form No. 2 Civil.

Application No.

24/3/91

Petitioner

Respondent

Subject

Instituted,

Decided,

Mysore Government Central Press, Bangalore.

18/10/86

Pekar og Mr Langaard Larsen.

No cattle disease yet

for notice and

Cases may be struck off.

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Amsterdam

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GOVERNMENT OF
3
2 RUPEES